

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

R&M PRICE ENTERPRISES, LLC,
dba FACTORY FURNACE OUTLET
Plaintiff,

vs.

FEDEX GROUND PACKAGE
SYSTEM, INC.,
Defendant.

Case. No. 1:19-cv-742

McFarland, J.
Litkovitz, M.J.

**REPORT AND
RECOMMENDATIO
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This matter is before the Court on plaintiff's motion to dismiss this action without prejudice pursuant to Fed. R. Civ. P. 41(a) (Doc. 11) and defendant's notice of non-opposition to the motion, which specifies that defendant does not waive any defenses, claims, or other legal rights in the event of refileing by plaintiff (Doc. 12).

In view of the above, it is hereby **RECOMMENDED** that plaintiff's motion be **GRANTED**, and this matter be **DISMISSED** without prejudice.

IT IS SO RECOMMENDED.

Date: June 17, 2020


Karen L. Litkovitz
United States Magistrate Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

R&M PRICE ENTERPRISES, LLC,
dba FACTORY FURNACE OUTLET
Plaintiff,

Case. No. 1:19-cv-940

McFarland, J.
Litkovitz, M.J.

vs.

FEDEX GROUND PACKAGE
SYSTEM, INC.,
Defendant.

NOTICE TO THE PARTIES REGARDING THE FILING OF OBJECTIONS TO R&R

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).